REMARKS

Claims 1, 3-11, and 13-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hawkins et al., U.S. Patent No. 6,000,000 (Hawkins) in view of Brown et al., U.S. Patent No. 2006/0112150 (Brown). In light of the following remarks, Applicants respectfully request the Examiner's reconsideration and re-examination of all pending claims.

As noted, all claims stand rejected under 35 U.S.C. § 103 as being unpatentable over Hawkins in view of Brown. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior reference (or references) when combined, must teach or suggest all the claimed limitations. MPEP 2142. The Office Action has failed to establish the *prima facie* basis for rejecting claims 1, 3-11, and 13-24.

Independent claim 1 requires:

> A method, comprising:
>
> coupling a handheld device to a server, the server comprising a first database and the handheld device comprising a second database, the handheld device also comprising an application that allows a user to access the second database;
>
> determining whether the application needs to be updated;
> causing the server to provide to the handheld device application update metadata if the application needs to be updated;
>
> causing the handheld device to record transactions performed on the second database by a user;
>
> causing the handheld device to provide to the server transaction information, wherein the transaction information is related to the recorded transactions;
>
> causing the server to perform a transaction on the first database based on the transaction information;
>
> causing the server to extract data from the first database to be used to update the second database; and
>
> causing the server to provide to the handheld device at least a portion of the extracted data.

In rejecting independent claim 1, the Office Action does not address the limitation of "causing the server to perform a transaction on the database based on the transaction information." Because a *prima facie* case of obviousness requires a teaching or a suggestion of all limitations of independent claim 1, the Office Action has failed to establish a case of obviousness of independent claim 1. Independent claim 11 recites a similar limitation. More particularly, independent claim 11 recites a "means for causing the server to perform a transaction on the first database as described in the transaction information." Again, the Office Action fails to assert that this limitation of independent claim 11 is taught or suggested within Hawkins or Brown.

For this reason, Applicants assert the Office Action has failed to establish a *prima facie* basis for rejecting independent claim 11.

A *prima facie* case of obviousness requires some suggestion of motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. The Office Action asserts that most limitations of independent claims 1 and 11 can be found in Hawkins. However, the Office Action admits that Hawkins does not expressly recite updating the metadata. Thereafter, the Office Action alleges that Brown teaches this missing limitation. However, the Office Action does not provide a suggestion or motivation, either in Hawkins or Brown or in the knowledge generally available to one of ordinary skill in the art to combine Hawkins and Brown. Accordingly, the Office Action has failed to establish a *prima facie* case of obviousness in rejecting independent claims 1 and 11.

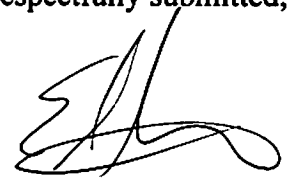
Applicants note that independent claims 2 and 12 were pending at the time the final Office Action was issued. However, the final Office Action does not specifically reject claims 2 and 12. Perhaps claims 2 and 12 are allowable? At any rate, Applicants wish to bring this oversight to the attention of the Examiner.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

Respectfully submitted,



Eric A. Stephenson
Attorney for Applicants
Reg. No. 38,321
Telephone: (512) 439-5093
Facsimile: (512) 439-5099